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 48 UNITED STATES DISTRICT COURT
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 50 NORTHERN DISTRICT OF CALIFORNIA
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 52 SAN FRANCISCO DIVISION

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 54 NATIONAL TPS ALLIANCE, MARIELA
 55 GONZÁLEZ, FREDDY JOSE ARAPE RIVAS,
 56 M.H., CECILIA DANIELA GONZÁLEZ
 57 HERRERA, ALBA CECILIA PURICA
 58 HERNÁNDEZ, E.R., HENDRINA VIVAS
 59 CASTILLO, A.C.A., SHERIKA BLANC, VILES
 60 DORSAINVIL, and G.S.,

61 Plaintiffs,

62 vs.

63 KRISTI NOEM, in her official capacity as
 64 Secretary of Homeland Security, UNITED
 65 STATES DEPARTMENT OF HOMELAND
 66 SECURITY, and UNITED STATES OF
 67 AMERICA,

68 Defendants.

69 Case No. 3:25-cv-01766-EMC

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 71 **STIPULATION REGARDING CROSS-
 72 MOTION BRIEFING SCHEDULING AND
 73 ~~[PROPOSED]~~ ORDER**

74 Assigned to: Hon. Edward M. Chen

75 Complaint filed: February 19, 2025

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1 Pursuant to Civ. L.R. 6-1(a), 6-2, and 7-12, the parties, by and through their respective
 2 counsel, submit this stipulation regarding the cross-motion briefing schedule for the Parties'
 3 forthcoming Motions for Summary Judgment (collectively, "the Motions").

4 **WHEREAS**, Plaintiffs filed this action on February 19, 2025 (ECF No. 1) and an Amended
 5 Complaint on March 20, 2025 (ECF No. 74);

6 **WHEREAS**, Plaintiffs filed a Motion to Postpone Effective Agency Action ("Motion to
 7 Postpone") on February 20, 2025, the Court granted the Plaintiffs' Motion to Postpone on March 31,
 8 2025 (ECF No. 93), and Defendants' appealed to the Ninth Circuit challenging the Court's
 9 postponement order on April 1, 2025 (ECF No. 94);

10 **WHEREAS**, the parties' briefing to the Ninth Circuit regarding Defendants' appeal of this
 11 Court's postponement order as to Venezuela is pending, and the hearing in the Ninth Circuit
 12 regarding Defendants' appeal is scheduled for the week of July 7, 2025;

13 **WHEREAS**, the parties filed their Joint Case Management Statement on April 16, 2025, in
 14 which Plaintiffs stated they may move for summary judgment with respect to both Venezuela and
 15 Haiti TPS decisions as soon as practicable (ECF No. 111 at 9);

16 **WHEREAS**, the Court held the initial case management conference on April 21, 2025 at
 17 1:30 PM via videoconference, during which Defendants indicated they would also be moving for
 18 summary judgment, the parties discussed the forthcoming Motions, and the Court advised the parties
 19 to meet and confer regarding a cross-motion briefing schedule for the Motions;

20 **WHEREAS**, at the case management conference the Court also inquired whether Plaintiffs
 21 would be moving to postpone the effective date of the Haiti TPS decision;

22 **WHEREAS**, Plaintiffs' counsel and Defendants' counsel met and conferred on April 25,
 23 2025 to discuss a cross-motion briefing schedule for the Motions, among other issues, and agreed to
 24 the proposed briefing schedule;

25 **WHEREAS**, during the meet and confer, in response to Plaintiffs' inquiry, Defendants
 26 advised that if Plaintiffs were to move to postpone the effective date of the Haiti TPS decision,
 27 Defendants would oppose the motion on (among other grounds), the ground that the Haiti TPS

1 decision did not give rise to irreparable harm;

2 **WHEREAS**, in light of Defendants' position and in the interest of efficiency, conserving
3 judicial resources, and narrowing the issues for decision, Plaintiffs' current plan is to move for
4 summary judgment and vacatur of Defendants' Haiti TPS termination rather than postponement;

5 **WHEREAS**, this Court has not issued any order setting time regarding the cross-motion
6 briefing schedule as the Motions are forthcoming, but did direct the parties at the initial case
7 management conference to confer regarding a cross-motion briefing schedule, and so this request
8 does not change an existing schedule for this case;

9 **WHEREAS**, the parties respectfully request that the Court grant the following stipulated
10 briefing schedule for the parties' forthcoming Motions for Summary Judgment.

11 **IT IS HEREBY STIPULATED AND AGREED**, by the parties and subject to the approval
12 of the Court:

- 13 • Plaintiffs shall file their Motion for Summary Judgment on May 26, 2025.
- 14 • Defendants shall file an Opposition to Plaintiffs' Motion for Summary Judgment and their
15 Motion for Summary Judgment up to and including June 10, 2025.
- 16 • Plaintiffs shall file their Reply in further support of their Motion for Summary Judgment and
17 their Opposition to Defendants' Motion for Summary Judgment up to and including June 20,
18 2025.
- 19 • Defendants shall file their Reply to Plaintiffs' Opposition to Defendants' Motion for
20 Summary Judgment on June 27, 2025.
- 21 • The Court will hear argument on the Parties' Motions for Summary Judgment on July 11,
22 2025.

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24 IT IS SO STIPULATED.

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26 Respectfully submitted,
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1 Date: April 29, 2025

ACLU FOUNDATION
OF NORTHERN CALIFORNIA

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3 Date: April 29 2025

/s/ Emilou MacLean

Emilou MacLean
Attorneys for Plaintiffs
U.S. DEPARTMENT OF JUSTICE

4
5 /s/ Sarah L. Vuong

Sarah L. Vuong
Attorneys for Defendants

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8 **SIGNATURE ATTESTATION**

9 Pursuant to Civil Local Rule 5-1(i)(3), I hereby attest that each of the other Signatories have
10 concurred in the filing of this document.

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12 ACLU FOUNDATION
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14 /s/ Emilou MacLean
15 Emilou MacLean

16 **[PROPOSED] ORDER**

17 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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19 Dated: April 30, 2025

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The Honorable Edward M. Chen
United States District Judge